


Councilmember Carol Schwartz

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Carol Schwartz introduced the following bill, which was referred to the Committee
on _____.

To amend the Compulsory/No Fault Motor Vehicle Insurance Act of 1982, the Rental Vehicle Tax Reform Act of 1978, The District of Columbia Traffic Adjudication Act of 1978, the District of Columbia Implied Consent Act, An Act to provide for the regulation of finance charges for the retail installment sales of motor vehicles in the District of Columbia and for other purposes, the Motor Vehicle Safety Responsibility Act of the District of Columbia, the District of Columbia Motor Vehicle Parking Facility Act of 1942, An Act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers and for other purposes, An Act to provide for the annual inspection of all motor vehicles in the District of Columbia, the District of Columbia Revenue Act of 1937, and the District of Columbia Traffic Adjudication Act of 1925, to exempt electric personal assistive mobility devices from the definition of a motor vehicle, to authorize the Director of the Department of Public Works and the Director of the Department of Motor Vehicles, respectively, to promulgate rules to amend existing provisions of Title 18 of the District of Columbia Municipal Regulations to amend certain existing provisions of Title 18 which shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays,

1 holidays, and days of council recess, and to add a definition of electric personal assistive mobility
2 device to the DCMR.

3
4 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
5 act may be cited as the "Motor Vehicle Definition Electric Personal Assistive Mobility Device
6 Exemption Amendment Act of 2002".

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8 Sec. 2. Section 3(17) of the Compulsory/No Fault Motor Vehicle Insurance Act of 1982,
9 effective September 18, 1982 (D.C. Law 4-155; D.C. Code, sec. 31-2402(17)), is amended as
10 follows:

11 "(17) The term 'motor vehicle' means any device propelled by an internal-combustion
12 engine, electricity, or steam, including any non-operational vehicle that is being restored or
13 repaired. The term 'motor vehicle' does not include traction engines used exclusively for drawing
14 vehicles in fields, road rollers, vehicles propelled only upon rails and tracks, electric personal
15 assistive mobility devices, and battery-operated wheelchairs when operated by a handicapped
16 person at speeds not exceeding 10 miles per hour."

17 Sec. 3. Section 2(b) of the Rental Vehicle Tax Reform Act of 1978, effective March 6, 1979
18 (D.C. Law 2-157; D.C. Code, sec. 50-1505.01(2)), is amended as follows:

19 "(b) The term 'motor vehicle' means any device propelled by an internal-combustion engine,
20 and designed to carry passengers. The term 'motor vehicle' shall not include road rollers, farm
21 tractors, trucks, motorcycles, motorized bicycles, vehicles with a seating capacity of ten (10) or
22 more persons, vehicles propelled only upon rails and tracks, electric personal assistive mobility

1 devices, and battery-operated wheelchairs when operated by a handicapped person at speeds not
2 exceeding 10 miles per hour."

3 Sec. 4. Section 102 of the District of Columbia Traffic Adjudication Act of 1978, effective
4 September 12, 1978 (D.C. Law 2-104; D.C. Code, sec. 50-2301.02(5a)), is amended as follows:

5 "(5a) The term 'motor vehicle' means all vehicles propelled by an internal-combustion
6 engine, electricity, or steam. The term 'motor vehicle' shall not include traction engines, road
7 rollers, vehicles propelled only upon stationary rails or tracks, electric personal assistive mobility
8 devices, and battery-operated wheelchairs when operated by a handicapped person at speeds not
9 exceeding ten (10) miles per hour."

10 Sec. 5. Section 1(8) of the District of Columbia Implied Consent Act, approved October
11 21, 1972 (86 Stat. 1016; D.C. Code, sec. 50-1901(8)), is amended as follows:

12 "(8) The term 'motor vehicle' means all vehicles propelled by internal combustion engines,
13 electricity, or steam. The term 'motor vehicle' shall not include electric personal assistive mobility
14 devices, and battery-operated wheelchairs when operated by a handicapped person at speeds not
15 exceeding ten (10) miles per hour."

16 Sec. 6. Section 1(6) of An Act to provide for the regulation of finance charges for retail
17 installment sales of motor vehicles in the District of Columbia, and for other purposes, approved
18 April 22, 1960 (74 Stat. 69; D.C. Code, sec. 50-601(6)), is amended as follows:

19 "(6) 'Motor vehicle' means any automobile, mobile home, motorcycle, truck, truck tractor,
20 trailer, semi-trailer, or bus. The term 'motor vehicle' shall not include any boat trailer, any vehicle
21 propelled or drawn exclusively by muscular power, any vehicle designed to run only on rails or

1 tracks, electric personal assistive mobility devices, and battery-operated wheelchairs when operated
2 by a handicapped person at speeds not exceeding ten (10) miles per hour."

3 Sec. 7. Section 2(4) of the Motor Vehicle Safety Responsibility Act of the District of
4 Columbia, approved May 25, 1954 (68 Stat. 120; D.C. Code, sec. 50-1301.02(4)), is amended as
5 follows:

6 "(4) Motor vehicle. -- Every vehicle which is self-propelled and every vehicle which is
7 propelled by electric power obtained from overhead trolley wires, but not operated upon rails. The
8 term 'motor vehicle' shall not include electric personal assistive mobility devices, and battery-
9 operated wheelchairs when operated by a handicapped person at speeds not exceeding ten (10)
10 miles per hour."

11 Sec. 8. Section 2 of the District of Columbia Motor Vehicle Parking Facility Act of 1942,
12 approved February 16, 1942 (56 Stat. 91; D.C. Code, sec. 50-2602(5)), is amended as follows:

13 "(5) The term 'motor vehicle' means any device propelled by an internal-combustion engine,
14 electricity, or steam. The term 'motor vehicle' shall not include traction engines, road rollers,
15 vehicles propelled only upon rails or tracks, electric personal assistive mobility devices, and battery-
16 operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per
17 hour."

18 Sec. 9. Section 1 of An Act to provide for the recording and releasing of liens by entries on
19 certificates of title for motor vehicles and trailers, and for other purposes, approved July 2, 1940 (54
20 Stat. 736; D.C. Code, sec. 50-1201(i)), is amended as follows:

21 "'Motor vehicle' shall mean all vehicles propelled by internal-combustion engines,
22 electricity, or steam. The term 'motor vehicle' shall not include traction engines, road rollers,

1 vehicles propelled only upon rails or tracks, electric personal assistive mobility devices, and battery-
2 operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per
3 hour.".

4 Sec. 10. An Act to provide for the annual inspection for all motor vehicles in the District
5 of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Code, sec. 50-1108), is amended as
6 follows:

7 "As used in this act the term 'motor vehicle' means all vehicles propelled by internal-
8 combustion engines, electricity, or steam. The term 'motor vehicle' shall not include traction
9 engines, road rollers, vehicles propelled only upon rails or tracks, electric personal assistive
10 mobility devices and battery-operated wheelchairs when operated by a handicapped person at
11 speeds not exceeding 15 miles per hour.".

12 Sec. 11. Section 1 of title 4 of the District of Columbia Revenue Act of 1937, approved
13 August 17, 1937 (50 Stat. 679; D.C. Code, sec. 50-1501.01(1)), is amended as follows:

14 "The term 'motor vehicle' means any vehicle propelled by internal-combustion engine,
15 electricity, or steam, including any non-operational vehicle that is being restored or repaired. The
16 term 'motor vehicle' shall not include road rollers, farm tractors, vehicles propelled only upon
17 stationary rails or tracks, electric personal assistive mobility devices, and battery-operated
18 wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour.".

19 Sec. 12. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
20 1119; D.C. Code, sec. 50-2201 et seq.), is amended as follows:

21 (a) Section 2 (D.C. Code, sec. 50-2201.02(1)) is amended to read:

1 "(1) The term 'motor vehicle' means all vehicles propelled by internal-combustion engines,
2 electricity, or steam. The term 'motor vehicle' shall not include traction engines, road rollers,
3 vehicles propelled only upon rails or tracks, electric personal assistive mobility devices, and battery-
4 operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per
5 hour."

6 (b) Section 7(f) (D.C. Code, sec. 50-1401.01(f)) is amended to read:

7 "(f) For purposes of this section and §§ 50-1403.01 and 50-1401.02 the term 'motor vehicle'
8 means all vehicles propelled by internal-combustion engines, electricity, or steam. The term 'motor
9 vehicle' shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks,
10 electric personal assistive mobility devices, and battery-operated wheelchairs when operated by a
11 handicapped person at speeds not exceeding 10 miles per hour."

12 Sec.13. The Director of the Department of Public Works and the Director of the Department
13 of Motor Vehicles, respectively, shall promulgate rules to amend existing provisions of Title 18 of
14 the District of Columbia Municipal Regulations ("DCMR") to exempt an electric personal assistive
15 mobility device from motor vehicle requirements under the DCMR. Rules promulgated or amended
16 pursuant to this section shall be submitted to the Council for a 45-day period of review, excluding
17 Saturdays, Sundays, holidays, and days of council recess. If promulgated or amended rules are not
18 approved within the 45 day period of review, the rules shall be deemed disapproved.

19 Sec 14. Title 18 of the District of Columbia Municipal Regulations (Vehicles and
20 Traffic) is amended as follows:

21 (a) Chapter 12, Bicycles, Motorized Bicycles, and Miscellaneous Vehicles is amended as
22 follows:

1 (1) Subsection 1200.4 is amended as follows:

2
3 "1200.4 No operator's permit shall be required for the operation of a bicycle or
4 an electric personal assistive mobility device."

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6 (2) Subsection 1200.6 is amended as follows:

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8 "1200.6 No points shall accrue toward the loss or suspension of a motor vehicle
9 operator's permit by reason of a violation committed while operating a
10 bicycle, sidewalk bicycle, or an electric personal assistive mobility
11 device."

12
13 (3) Subsection 1200.8 is amended as follows:

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15 "1200.8 No person, except for impoundment by the Mayor, shall tamper with
16 any bicycle or electric personal assistive mobility device which has been
17 locked, placed in a rack, or otherwise secured." Any person found
18 tampering with any bicycle or electric personal assistive mobility device
19 may be required to pay a fine of \$100.

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21
22 (4) Subsection 1201 is amended as follows:

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24 "1201.2 A person shall operate a bicycle, sidewalk bicycle or electric personal
25 assistive mobility device in a safe and non-hazardous manner so as not
26 to endanger himself or herself or any other person."

27
28 "1201.9 There shall be no prohibition against any person riding a bicycle or
29 electric personal assistive mobility device upon a sidewalk within the
30 District, so long as the rider does not create a hazard; Provided, that no
31 person shall ride a bicycle or operate an electric personal assistance
32 mobility device upon a sidewalk with the Central Business District
33 except on those sidewalks expressly designated by Order of the Mayor,
34 nor shall any person ride a bicycle upon a sidewalk in any area outside
35 of the Central Business District if it is expressly prohibited by Order of
36 the Mayor and appropriate signs to such effect are posted."

37
38 "1201.10 Any person riding a bicycle or electric personal assistive mobility
39 device upon a sidewalk shall yield the right-of-way to pedestrians, and
40 shall travel at a speed no greater than the posted speed limit of the
41 adjacent roadway; Provided, that such speed is safe for the conditions
42 then existing on the sidewalk."

1 "1201.11 A person propelling a bicycle or operating an electric personal assistive
2 mobility device upon and along a sidewalk or while crossing a roadway
3 in a crosswalk shall have all the rights and duties applicable to a
4 pedestrian under the same circumstances, except that the bicyclist or
5 electric personal assistive mobility device operator must yield to
6 pedestrians on the sidewalk or crosswalk."

7
8 "1201.12 The operator of a bicycle or electric personal assistive mobility device
9 emerging from, or entering an alley, driveway, or building, shall upon
10 approaching a sidewalk or the sidewalk area extending across any
11 alleyway, yield the right-of-way to all pedestrians approaching on said
12 sidewalk are, and upon entering the roadway shall yield the right-of-
13 way to all vehicles approaching on said roadway, to the extent necessary
14 to safely enter the flow of traffic."

15
16 (f) Chapter 22, Moving Violations is amended as follows:

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18 Subsection 2217.5 is amended as follows:

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20 "2217.5 No vehicle except buses proceeding on a designated bus route, bicycles,
21 electric personal assistive mobility devices, and authorized emergency
22 vehicles shall travel on those street or portions of streets designated as
23 bus streets or bus lanes except as provided in §§ 2217.6, 2217.7 and
24 4005 and 4006."

25
26 (g) Chapter 40, Traffic Signs and Restriction at Specific Locations is amended as follows:

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28 (1) Subsection 4005.1 is amended as follows:

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30 "4005.1 The traffic lane closest to the right hand curb on the streets listed in this
31 subsection shall be designated a Restricted Lane and reserved for the
32 use of buses, carpools, taxicabs, bicycles, motorized bikes, motorcycles,
33 electric personal assistive mobility devices, or other designated vehicles
34 during the hours and on the days indicated."

35
36 (2) Subsection 4006.1 is amended as follow:

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38 "4006.1 No vehicles shall travel on bus streets except buses proceeding on
39 designated bus route, bicycles, electric personal assistive mobility
40 devices, or authorized emergency vehicles, except as otherwise
41 provided in this section."

42
43 (h) Chapter 99, Definitions is amended by adding the following definition to section 9901:

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2 **"Electric Personal Assistive Mobility Device" ("EPAMD")** means a device,
3 designed to transport only one person, with an electric propulsion system that
4 limits the maximum speed of the device to 10 miles per hour or less."
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6 Sec. 15. The Council adopts the fiscal impact statement in the committee report as the fiscal
7 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
8 approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-206.02(c)(3)).

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10 Sec. 16. Effective date.

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12 This Act shall take effect following the approval by the Mayor (or in the event of veto by
13 the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
14 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,
15 1973 (87 Stat. 813; D.C. Code § 1-206.02(c)(1)), and publication in the District of Columbia
16 Register.
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